

(C) in paragraph (4)(A)—

(i) by striking “requiring” and inserting “receiving”; and

(ii) by striking “suspicious transaction” and inserting “transaction relevant to a possible violation of a law or regulation”;

(D) in paragraph (4)(B), by striking “suspicious transaction” and inserting “transaction relevant to a possible violation of a law or regulation”; and

(E) by adding at the end of paragraph (4) the following new subparagraph:

“(D) RECORDKEEPING.—The Secretary shall ensure that no report filed under this paragraph is maintained by the Secretary or any Federal or State law enforcement or supervisory agency to whom access to the report (or information therein) has been granted after the earlier of—

“(i) the end of the 4-year period beginning on the date the report was received; or

“(ii) 60 days after the expiration of the longest statute of limitations relating to any possible violation of a law or regulation identified in such report,

unless the report or information contained in the report is being used in an on-going investigation of a possible violation of a law or regulation identified in such report.”.

(2) CLARIFICATION OF PURPOSES OF ANTI-MONEY LAUNDERING PROGRAM.—Section 5318(h) of title 31, United States Code, is amended by adding at the end the following new paragraph:

“(3) LIMITATION.—Notwithstanding paragraphs (1) and (2), the Secretary may not require or encourage an insured depository institution or any affiliate of an insured depository institution to—

“(A) determine the sources of funds used by any customer of the institution or affiliate in any transaction;

“(B) assess the purpose of any transaction or seek from the customer an explanation for the transaction;

“(C) determine what transactions are normal or expected for a customer;

“(D) monitor customer body language or behavior;

“(E) monitor customer transactions and compare them to historical patterns; or

“(F) report to the Secretary transactions that do not conform to a customer’s historical transaction patterns.

(3) CLERICAL AMENDMENTS.—

(A) The subsection heading for section 5318(g) is amended to read as follows:

“(g) REPORTING POSSIBLE VIOLATIONS OF LAWS AND REGULATIONS.—”.

(B) The paragraph heading for section 5318(g)(4) of title 31, United States Code, is amended to read as follows:

“(4) SINGLE DESIGNEE FOR REPORTING TRANSACTIONS RELEVANT TO A POSSIBLE VIOLATION OF LAW OR REGULATION.—”.

(d) INCREASE IN TRIGGER AMOUNT FOR CASH TRANSACTION REPORTS.—

(1) DOMESTIC.—Section 5313(a) of title 31, United States Code, is amended by adding at the end the following new sentence: “In no event may the Secretary require reports under this section for transactions involving less than \$25,000.”.

(2) IMPORTING AND EXPORTING.—Section 5316(a) is amended by striking “\$10,000” each place such term appears and inserting “\$25,000”.

(e) AGENCY REPORTS ON RECONCILING PENALTY AMOUNTS.—Before the end of the 1-year period beginning on the date of the enactment of this Act, the Federal banking agencies (as defined in section 3 of the Federal Deposit Insurance Act) shall submit reports to the Congress containing proposed legislation to conform the penalties imposed on depository institutions (as defined in section 3 of the Federal Deposit Insurance Act) for violations of subchapter II of chapter 53 of

title 31, United States Code, to the penalties imposed on such institutions under section 8 of the Federal Deposit Insurance Act.

It was decided in the { Yeas 129
negative } Nays 299

¶74.26

[Roll No. 269]

AYES—129

Aderholt	Goss	Pease
Archer	Graham	Peterson (MN)
Armey	Green (WI)	Pickering
Barcia	Gutknecht	Pickett
Barr	Hall (TX)	Pitts
Bartlett	Hastings (WA)	Pombo
Barton	Hayes	Radanovich
Blunt	Hayworth	Reynolds
Boehner	Hefley	Riley
Bonilla	Herger	Rivers
Bono	Hill (MT)	Rohrabacher
Brady (TX)	Hilleary	Royce
Burr	Hoekstra	Ryan (WI)
Buyer	Hostettler	Ryun (KS)
Callahan	Hulshof	Sanford
Campbell	Hunter	Scarborough
Chabot	Istook	Schaffer
Chenoweth	Jenkins	Sensenbrenner
Clement	Johnson, Sam	Sessions
Coble	Jones (NC)	Sherwood
Coburn	Kingston	Shuster
Collins	Largent	Skeen
Combest	LaTourette	Smith (MI)
Cook	Lewis (CA)	Smith (NJ)
Crane	Lewis (KY)	Spence
Cubin	Linder	Stearns
Deal	Lucas (OK)	Stump
DeMint	Manullo	Sununu
Doolittle	McInnis	Tancredo
Dreier	McIntyre	Taylor (MS)
Duncan	McKeon	Taylor (NC)
Ehrlich	Metcalfe	Thornberry
English	Miller, Gary	Tiahrt
Everett	Miller, George	Toomey
Fletcher	Mink	Walden
Galleghy	Moran (KS)	Wamp
Gekas	Myrick	Watkins
Gibbons	Nethercutt	Watts (OK)
Gillmor	Ney	Weldon (FL)
Goode	Norwood	Weller
Goodlatte	Ose	Wicker
Goodling	Packard	Woolsey
	Paul	Young (AK)

NOES—299

Abercrombie	Chambliss	Forbes
Ackerman	Clay	Ford
Allen	Clayton	Fowler
Andrews	Clyburn	Frank (MA)
Bachus	Condit	Franks (NJ)
Baird	Conyers	Frelinghuysen
Baker	Cooksey	Frost
Baldacci	Costello	Ganske
Baldwin	Cox	Gejdenson
Ballenger	Coyne	Gephardt
Barrett (NE)	Cramer	Gilchrest
Barrett (WI)	Crowley	Gilman
Bass	Cummings	Gonzalez
Bateman	Cunningham	Gordon
Becerra	Danner	Granger
Bentsen	Davis (FL)	Greenwood
Bereuter	Davis (IL)	Gutierrez
Berkley	Davis (VA)	Hall (OH)
Berman	DeFazio	Hansen
Berry	DeGette	Hastings (FL)
Biggert	Delahunt	Hill (IN)
Bilbray	DeLauro	Hilliard
Bilirakis	DeLay	Hinchee
Bishop	Deutsch	Hinojosa
Blagojevich	Diaz-Balart	Hobson
Bliley	Dickey	Hoeffel
Blumenauer	Dicks	Holden
Boehlert	Dingell	Holt
Bonior	Dixon	Hooley
Boswell	Doggett	Horn
Boucher	Dooley	Houghton
Boyd	Doyle	Hoyer
Brady (PA)	Dunn	Hutchinson
Brown (FL)	Edwards	Hyde
Brown (OH)	Ehlers	Inslee
Bryant	Emerson	Isakson
Burton	Engel	Jackson (IL)
Calvert	Eshoo	Jackson-Lee
Canady	Etheridge	(TX)
Cannon	Evans	Jefferson
Capps	Ewing	John
Capuano	Farr	Johnson (CT)
Cardin	Fattah	Johnson, E. B.
Carson	Filner	Johnson (OH)
Castle	Foley	Kanjorski

Kaptur	Mollohan	Sherman
Kasich	Moore	Shimkus
Kelly	Moran (VA)	Shows
Kennedy	Morella	Simpson
Kildee	Murtha	Sisisky
Kilpatrick	Nadler	Skelton
Kind (WI)	Napolitano	Slaughter
King (NY)	Neal	Smith (TX)
Kleccka	Northup	Smith (WA)
Klink	Nussle	Snyder
Knollenberg	Oberstar	Souder
Kolbe	Obey	Spratt
Kucinich	Olver	Stabenow
Kuykendall	Ortiz	Stark
LaFalce	Owens	Stenholm
LaHood	Oxley	Strickland
Lampson	Pallone	Stupak
Lantos	Pascrell	Sweeney
Larson	Pastor	Talent
Latham	Payne	Tanner
Lazio	Peterson (PA)	Tauscher
Leach	Petri	Tauzin
Lee	Phelps	Terry
Levin	Pomeroy	Thomas
Lewis (GA)	Porter	Thompson (CA)
LoBiondo	Portman	Thompson (MS)
Lofgren	Price (NC)	Thune
Lowe	Pryce (OH)	Thurman
Lucas (KY)	Quinn	Tierney
Luther	Rahall	Towns
Maloney (CT)	Ramstad	Trafigant
Maloney (NY)	Rangel	Turner
Markey	Regula	Udall (CO)
Martinez	Reyes	Udall (NM)
Mascara	Rodriguez	Upton
Matsui	Roemer	Velazquez
McCarthy (MO)	Rogan	Vento
McCarthy (NY)	Rogers	Visclosky
McCollum	Ros-Lehtinen	Vitter
McCrery	Rothman	Walsh
McDermott	Roukema	Waters
McGovern	Roybal-Allard	Watt (NC)
McHugh	Rush	Waxman
McIntosh	Sabo	Weiner
McKinney	Salmon	Weldon (PA)
McNulty	Sanchez	Wexler
Meehan	Sanders	Weygand
Meek (FL)	Sandlin	Whitfield
Meeks (NY)	Sawyer	Wilson
Menendez	Saxton	Wise
Mica	Schakowsky	Wolf
Millender-	Scott	Wu
McDonald	Serrano	Wynn
Miller (FL)	Shadegg	Young (FL)
Minge	Shaw	
Moakley	Shays	

NOT VOTING—6

Borski	Fossella	Lipinski
Brown (CA)	Green (TX)	Pelosi

So the amendment was not agreed to.

¶74.27 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. COOK:

Page 311, strike line 4 and all that follows through page 312, line 16 and insert the following new section (and amend the table of contents accordingly):

SEC. 241. STUDY OF LIMITING THROUGH REGULATION FEES ASSOCIATED WITH PROVIDING FINANCIAL PRODUCTS.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to the Congress regarding the consequences of limiting, through regulation, commissions, fees, or other costs incurred by customers in the acquisition of financial products.

It was decided in the { Yeas 114
negative } Nays 313

¶74.28

[Roll No. 270]

AYES—114

Aderholt	Biggert	Cannon
Archer	Blunt	Chambliss
Armey	Boehner	Coburn
Bachus	Bonilla	Collins
Baker	Boswell	Cook
Barr	Burton	Cramer
Bartlett	Buyer	Crane
Bentsen	Callahan	Cubin

Cunningham
Davis (VA)
DeLay
DeMint
Diaz-Balart
Dreier
Duncan
Dunn
Engel
English
Everett
Fletcher
Gibbons
Gilchrist
Goodling
Goss
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hoekstra
Horn
Hostettler

Hutchinson
Isakson
Jenkins
Kingston
Kuykendall
Latham
Leach
Lewis (KY)
Linder
Maloney (NY)
McCollum
McCrery
McGovern
McInnis
McIntosh
McKeon
McNulty
Metcalf
Miller, Gary
Morella
Myrick
Nadler
Nethercutt
Norwood
Nussle
Ose
Packard
Paul
Peterson (MN)
Riley

Rogers
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Scarborough
Sessions
Shadegg
Shuster
Simpson
Slaughter
Smith (MI)
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Taylor (NC)
Terry
Thornberry
Thune
Tiahrt
Toomey
Upton
Walden
Weldon (FL)
Weller
Wicker

NOES—313

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Barton
Bass
Bateman
Becerra
Bereuter
Berkley
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehert
Bonior
Bono
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Calvert
Camp
Campbell
Canady
Capps
Capuano
Cardin
Carson
Castle
Chabot
Clay
Clayton
Clement
Clyburn
Coble
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyle
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
Deal
DeFazio
DeGette
Delahunt
DeLauro

Deutsch
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Edwards
Ehlers
Ehrlich
Emerson
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Foley
Forbes
Ford
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Graham
Granger
Green (WI)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.

Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kildee
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Klecicka
Klink
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
LaTourette
Lazio
Lee
Levin
Lewis (CA)
Lewis (GA)
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McHugh
McIntyre
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-
McDonald
Miller (FL)
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Murtha
Napolitano
Neal
Ney
Northrup

Oberstar
Obey
Oliver
Ortiz
Owens
Oxley
Pallone
Pascarell
Pastor
Payne
Pease
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogan
Rohrabacher
Ros-Lehtinen

Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Sisisky
Skeen
Skeltion
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Talent
Tanner

Tauscher
Tauzin
Taylor (MS)
Thomas
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Vitter
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (PA)
Wexler
Weygand
Whitfield
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—7

Borski
Brown (CA)
Chenoweth

Fossella
Green (TX)
Lipinski

Pelosi

So the amendment was not agreed to.

74.29 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mrs. ROUKEMA:

Page 312, after line 16, insert the following new subtitle (and amend the table of contents accordingly):

Subtitle E—Banks and Bank Holding Companies

SEC. 251. CONSULTATION.

(a) IN GENERAL.—The Securities and Exchange Commission shall consult and coordinate comments with the appropriate Federal banking agency before taking any action or rendering any opinion with respect to the manner in which any insured depository institution or depository institution holding company reports loan loss reserves in its financial statement, including the amount of any such loan loss reserve.

(b) DEFINITIONS.—For purposes of subsection (a), the terms “insured depository institution”, “depository institution holding company”, and “appropriate Federal banking agency” have the same meaning as in section 3 of the Federal Deposit Insurance Act.

It was decided in the { Yeas 407
affirmative } Nays 20

74.30

[Roll No. 271]

AYES—407

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Army
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr

Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentzen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis

Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehert
Boehner
Bonilla
Bonior
Bono
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)

Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Clay
Clayton
Clement
Clyburn
Coble
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyle
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
Deal
DeFazio
DeGette
Delahunt
DeLauro

Green (WI)
Greenwood
Gutierrez
Gutknecht
Mica
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.

Meeks (NY)
Menendez
Metcalf
Mica
Millender-
McDonald
Miller (FL)
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Murtha
Napolitano
Neal
Ney
Northrup